

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
AIR POLLUTION CONTROL DIVISION
TELEPHONE: (303) 692-3150



CONSTRUCTION PERMIT

PERMIT NO: 13AD2017

ISSUANCE 1

DATE ISSUED:

ISSUED TO: Union Pacific Railroad

THE SOURCE TO WHICH THIS PERMIT APPLIES IS DESCRIBED AND LOCATED AS FOLLOWS:

Railroad transportation facility, located at 1001 W. 52nd Avenue and 5929 Pecos Street in Adams County, Colorado.

THE SPECIFIC EQUIPMENT OR ACTIVITY SUBJECT TO THIS PERMIT INCLUDES THE FOLLOWING:

Facility Equipment ID	AIRS Point	Description
N/A	003	One (1) Rail Barge Truck, Self-propelled Soda Ash Conveyor, model: 2450, SN: 021132913-361, rated at 100.0 tons/hour

THIS PERMIT IS GRANTED SUBJECT TO ALL RULES AND REGULATIONS OF THE COLORADO AIR QUALITY CONTROL COMMISSION AND THE COLORADO AIR POLLUTION PREVENTION AND CONTROL ACT C.R.S. (25-7-101 et seq), TO THOSE GENERAL TERMS AND CONDITIONS INCLUDED IN THIS DOCUMENT AND THE FOLLOWING SPECIFIC TERMS AND CONDITIONS:
REQUIREMENTS TO SELF-CERTIFY FOR FINAL APPROVAL

REQUIREMENTS TO SELF-CERTIFY FOR FINAL APPROVAL

1. **YOU MUST notify the Air Pollution Control Division (Division) no later than fifteen days after commencement of operation under this permit by submitting a Notice of Startup (NOS) form to the Division.** The Notice of Startup (NOS) form may be downloaded online at <https://www.colorado.gov/pacific/cdphe/other-air-permitting-notice>. Failure to notify the Division of startup of the permitted source is a violation of AQCC Regulation No. 3, Part B, Section III.G.1 and can result in the revocation of the permit.
2. Within one hundred and eighty days (180) after commencement of operation, compliance with the conditions contained on this permit shall be demonstrated to the Division. It is the permittee's responsibility to self certify compliance with the conditions. Failure to demonstrate compliance within 180 days may result in revocation of the permit or enforcement action by the Division. Information on how to certify compliance was mailed with the permit or can be obtained from the Division. (Reference: Regulation No. 3, Part B, III.G.2).
3. This permit shall expire if the owner or operator of the source for which this permit was issued: (i) does not commence construction/modification or operation of this source within 18 months after either, the date of issuance of this construction permit or the date on which such construction or activity was scheduled to commence as set forth in the permit application associated with this permit; (ii) discontinues construction for a period of eighteen months or more; (iii) does not complete construction within a reasonable time of the estimated completion date. The Division may grant extensions of the deadline per Regulation No. 3, Part B, III.F.4.b. (Reference: Regulation No. 3, Part B, III.F.4.)

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4. Within one hundred and eighty days (180) after commencement of operation, the operator shall complete all initial compliance testing and sampling as required in this permit and submit the results to the Division as part of the self-certification process. (Reference: Regulation No. 3, Part B, Section III.E.)
5. The owner or operator shall develop an operating and maintenance (O&M) plan, along with a recordkeeping format, that outlines how the applicant will maintain compliance on an ongoing basis with the requirements of this permit. **Compliance with the O&M plan shall commence at startup.** Within one hundred and eighty days (180) after commencement of operation, the owner or operator shall submit the O&M plan to the Division. Failure to submit an acceptable operating and maintenance plan could result in revocation of the permit. (Reference: Regulation No. 3, Part B, III.E.)
6. Within thirty (30) days after commencement of operation, the permit number AIRS ID number shall be marked on the subject equipment for ease of identification. (Reference: Regulation No. 3, Part B, III.E.) (State only enforceable)

EMISSION LIMITATIONS AND RECORDS

7. Emissions of air pollutants shall not exceed the following limitations (as calculated using the emission factors* included in the Notes to Permit Holder section of this permit). Monthly records of the actual emission rates shall be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation No. 3, Part B, Section II.A.4)

Monthly Limits:

Facility Equipment ID	AIRS Point	Tons per Month								Emission Type
		PM	PM ₁₀	PM _{2.5}	NO _x	SO ₂	VOC	CO	Pb	
N/A	003	0.2	0.2	0.2						Point

Annual Limits:

Facility Equipment ID	AIRS Point	Emissions Per Averaging Year (Rolling 12 Moth Total) (ton per year)								Emission Type
		TSP	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Pb	
N/A	003	2.0	2.0	2.0	0.0	0.0	0.0	0.0		Point

* Note: See "Notes to Permit Holder #3" for information on emission factors and methods used to calculate limits.

During the first twelve (12) months of operation, compliance with both the monthly and yearly emission limitations shall be required. After the first twelve (12) months of operation, compliance with only the yearly limitation shall be required.

Compliance with the annual limits shall be determined by recording the facility's annual emissions for the pollutants listed in the table above on a rolling twelve (12) month total. By the end of each month a new twelve-month total shall be calculated based on the previous twelve months' data. The permit holder shall calculate monthly emissions and keep a compliance record on site, or at a local field office with site responsibility, for Division review.

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8. The following control equipment shall be maintained and operated to ensure satisfactory performance. The uncontrolled emissions shall be reduced by at least the control efficiencies listed below. The owner or operator shall monitor compliance with this condition through the results of approved compliance tests (when required), compliance with the Operating and Maintenance Plan, compliance records, and other methods as approved by the Division. (Reference: Regulation No. 3, Part B, Section III.E.)

Facility Equipment ID	AIRS Point	Unit/Stack	Control Device	Pollutants Controlled	Control Efficiency (%)
N/A	003	Conveyor stack	baghouse	PM	1.0
				PM ₁₀	98.4
				PM _{2.5}	98.4

PROCESS LIMITATIONS AND RECORDS

9. This source shall be limited to the following maximum consumption, processing and/or operational rates as listed below. Monthly records of the actual process rate shall be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation 3, Part B, II.A.4)

Process/Consumption Limits

Facility Equipment ID	AIRS Point	Process Parameter	Annual Limit	Monthly Limit (31 days)*
N/A	003	Soda ash transfer rate	47,500 tons/year	4,034 ton/month

Note: *The monthly limits included in this permit were derived from the annual limits based on a 31-day month. The owner or operator shall calculate monthly emissions based on the calendar month.

10. During the first twelve (12) months of operation, compliance with both the monthly and yearly process limitations shall be required. After the first twelve (12) months of operation, compliance with only the yearly limitation shall be required.
11. Compliance with the yearly process limits shall be determined on a rolling twelve (12) month total. By the end of each month a new twelve-month total is calculated based on the previous twelve months' data. The permit holder shall calculate monthly process rate and keep a compliance record on site or at a local field office with site responsibility, for Division review.

STATE AND FEDERAL REGULATORY REQUIREMENTS

12. Visible emissions shall not exceed twenty percent (20%) opacity during normal operation of the source. During periods of startup, process modification, or adjustment of control equipment visible emissions shall not exceed 30% opacity for more than six minutes in any sixty consecutive minutes. Opacity shall be determined using EPA Method 9. (Reference: Regulation No. 1, Section II.A.1. & 4.)
13. This source is subject to the odor requirements of Regulation No. 2. (State only enforceable)

OPERATING & MAINTENANCE REQUIREMENTS

14. The owner or operator shall develop an operating and maintenance (O&M) plan, along with a recordkeeping format, that outlines how the applicant will maintain compliance on an ongoing basis with the requirements of this permit. **Compliance with the O&M plan shall commence at startup.** Within one hundred and eighty days (180) after commencement of operation, the owner or operator shall submit the O&M plan to the Division. Failure to submit an acceptable operating and

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maintenance plan could result in revocation of the permit. (Reference: Regulation No. 3, Part B, III.E.)

COMPLIANCE TESTING AND SAMPLING

Initial Testing Requirements

15. Within 180 days of startup, the owner or operator shall demonstrate compliance with Condition number 12 above. Visible emissions above, using EPA Method 9 to measure opacity from the conveyor stack. This measurement shall consist of a minimum twenty-four consecutive readings taken at fifteen second intervals over a six minute period. (Reference: Regulation No. 1, Section II.A.1 & 4)

Periodic Testing Requirements

16. Periodic testing is not required for this source.

ADDITIONAL REQUIREMENTS

17. The permit number shall be marked on the subject equipment for ease of identification. (Reference: Regulation No. 3, Part B, III.E.) (State only enforceable)
18. A Revised Air Pollutant Emission Notice (APEN) shall be filed: (Reference: Reg. 3, Part A, II.C)

- a. Annually whenever a significant increase in emissions occurs as follows:

For any criteria pollutant:

For sources emitting **less than 100 tons per year**, a change in actual emissions of five tons per year or more, above the level reported on the last APEN submitted; or

For VOC sources in the Denver Metro ozone attainment-maintenance area emitting less than 100 tons of VOC per year, a change in actual emissions of one ton per year or more or five percent, whichever is greater, above the level reported on the last APEN submitted; or

For any non-criteria reportable pollutant:

If the emissions increase by 50% or five (5) tons per year, whichever is less, above the level reported on the last APEN submitted to the Division.

- b. Whenever there is a change in the owner or operator of any facility, process, or activity; or
 - c. Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
 - d. Whenever a permit limitation must be modified; or
 - e. No later than 30 days before the existing APEN expires.
19. Operating Permit (OP) requirements shall apply to this source at any such time that the facility wide actual emissions equal or exceed the major source level. Once the facility wide actual emissions equal or exceed the major source level a Title V operating permit application shall be submitted in accordance with the requirements in Regulation No. 3, Part C.
 20. The requirements of Colorado Regulation No. 3, Part D shall apply at such time that any stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation that was established after August 7, 1980, on the capacity

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of the source or modification to otherwise emit a pollutant such as a restriction on hours of operation (Colorado Regulation No. 3, Part D, Section V.A.7.B).

With respect to this Condition, Part D requirements may apply to future modifications if emission limits are modified to equal or exceed the following threshold levels:

Facility Equipment ID	AIRS Point	Equipment Description	Pollutant	Emissions - tons per year	
				Threshold	Current permit limit
N/A	001	Conveyor	PM	250	2.0

GENERAL TERMS AND CONDITIONS:

21. This permit and any attachments must be retained and made available for inspection upon request. The permit may be reissued to a new owner by the Division as provided in Regulation No. 3, Part B, Section II.B upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
22. If this permit specifically states that final approval has been granted, then the remainder of this condition is not applicable. Otherwise, the issuance of this construction permit is considered initial approval and does not provide "final" approval for this activity or operation of this source. Final approval of the permit must be secured from the APCD in writing in accordance with the provisions of 25-7-114.5(12)(a) C.R.S. and AQCC Regulation No. 3, Part B, Section III.G. Final approval cannot be granted until the operation or activity commences and has been verified by the APCD as conforming in all respects with the conditions of the permit. Once self-certification of all points has been reviewed and approved by the Division, it will provide written documentation of such final approval. **Details for obtaining final approval to operate are located in the Requirements to Self-Certify for Final Approval section of this permit.** The operator shall retain the permit final approval letter issued by the Division after completion of self-certification with the most current construction permit.
23. This permit is issued in reliance upon the accuracy and completeness of information supplied by the applicant and is conditioned upon conduct of the activity, or construction, installation and operation of the source, in accordance with this information and with representations made by the applicant or applicant's agents. It is valid only for the equipment and operations or activity specifically identified on the permit.

By: _____ By: _____
Sunday A. Fadeyi, P.E. R K Hancock III, P.E.
Permit Engineer Construction Permits Unit Supervisor

Permit History:

Issuance	Date	Description
Initial Approval	This Issuance	Issued to Union Pacific Railroad

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Notes to Permit Holder:

- 1) The production or raw material processing limits and emission limits contained in this permit are based on the production/processing rates requested in the permit application. These limits may be revised upon request of the permittee providing there is no exceedence of any specific emission control regulation or any ambient air quality standard. A revised air pollution emission notice (APEN) and application form must be submitted with a request for a permit revision.
- 2) This source is subject to the Common Provisions Regulation Part II, Subpart E, Affirmative Defense Provision for Excess Emissions During Malfunctions. The permittee shall notify the Division of any malfunction condition which causes a violation of any emission limit or limits stated in this permit as soon as possible, but no later than noon of the next working day, followed by written notice to the Division addressing all of the criteria set forth in Part II.E.1. of the Common Provisions Regulation. See: <https://www.colorado.gov/pacific/cdphe/aqcc-regs>.

- 3) The emission levels contained in this permit are based on the following controlled emission factors:

Point 003 – Soda Ash Transfer:

CAS	Pollutant	Emission Factors applied	Source of Emission Factors
	TSP	0.0832 lbs/ton	AP-42
	PM ₁₀	0.0832 lbs/ton	AP-42
	PM _{2.5}	0.0832 lbs/ton	AP-42

- 4) In accordance with C.R.S. 25-7-114.1, each Air Pollutant Emission Notice (APEN) associated with this permit is valid for a term of five years from the date it was received by the Division. A revised APEN shall be submitted no later than 30 days before the five-year term expires. Please refer to the most recent annual fee invoice to determine the APEN expiration date for each emissions point associated with this permit. For any questions regarding a specific expiration date call the Division at (303)-692-3150.
- 5) This facility is classified as follows:

Applicable Requirement	Status
Operating Permit	Synthetic minor: PM
NANSR	Synthetic minor: PM

- 6) The permit holder is required to pay fees for the processing time for this permit. An invoice for these fees will be issued after the permit is issued. The permit holder shall pay the invoice within 30 days of receipt of the invoice. Failure to pay the invoice will result in revocation of this permit (Reference: Regulation No. 3, Part A, Section VI.B.)
- 7) Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the Division to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
- 8) Each and every condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of a condition hereof shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied *ab initio*. This permit may be revoked at any time prior to self-certification and final authorization by the Division on grounds set forth in the Colorado Air Pollution Prevention and Control Act and regulations of the AQCC including failure to meet any express term or condition of the permit. If the Division denies a permit, conditions imposed upon a

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permit are contested by the applicant, or the Division revokes a permit, the applicant or owner or operator of a source may request a hearing before the AQCC for review of the Division's action.

- 9) Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollutant Emission Notice (APEN) must **pay an annual fee** to cover the costs of inspections and administration. If a source or activity is to be discontinued, the owner must notify the Division in writing requesting a cancellation of the permit. Upon notification, annual fee billing will terminate.
- 10) Violation of the terms of a permit or of the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.